



FOREIGN AFFAIRS MANUAL

VOLUME 9 – Visas

Change Transmittal: VISA-2189

Date: October 6, 2014

9 FAM 41.55 NOTES

1. Summary of Changes

- This CT updates 9 FAM 41.55 Notes with the following new guidance in section N8.4, Approved Petition Is Prima Facie Evidence of Entitlement to O Classification:
 - Other than instances involving obvious errors, consular officers do not have the authority to question the approval of O petitions without specific evidence, unavailable to DHS at the time of petition approval, that the beneficiary may not be entitled to status.
2. If this issuance changed less than half the words, we formatted the changed text in *dark magenta italic*. If this issuance changed more than half the words, we did not use *dark magenta italic*. The CT line in each section shows when that section last changed.
 3. Officers are reminded that Department-issued materials not codified in the Foreign Affairs Manual or its supplemental Foreign Affairs Handbook series generally have no regulatory validity (see 2 FAM 1111.1).
 4. **CA/VO/L/R** is responsible for the material in this subchapter; direct questions concerning content substance and interpretation to this office. For administrative questions on the Foreign Affairs Manual and Handbooks, contact The Office of Directives Management (A/GIS/DIR).

Filing Instructions (Paper Copies)

1. Remove and discard the old 9 FAM 41.55 Notes (CT:VISA-1679; 09-07-2011) and insert the new (CT:VISA-2189; 10-06-2014).
2. After inserting the material in the binder, insert this change transmittal letter immediately following the CT Checklist, then fill in the entry line for the appropriate CT and initial.

Distribution Notice

1. The Foreign Affairs Manual and Handbooks (unclassified) official version are on the State Department's Intranet site.
2. All posts and offices keeping paper versions of the Foreign Affairs Manual are responsible for maintaining the FAM on a current basis (see 2 FAM 1116.5).
3. Use **KFAM** and **AINF** TAGS on **all** communications on FAM/FAH issues.